Appendix 1

Filed, District Court of Guam,
Agana, Guam,
Apr. 14, 1955.
Roland A. Gillette,
Clerk.

DISTRICT COURT OF GUAM
TERRITORY OF GUAM

Criminal Case No. 44-52

United States of America, Plaintiff,
vs.
Edward D. Putty, Defendant.

ORDER

Whereas the above-named defendant was duly convicted under date of January 27, A.D., 1953 of the offenses of conspiracy to defraud the United States in violation of 18 U.S.C. 371 and of receiving stolen property of the United States of the value of more than $100 in violation of 18 U.S.C. 641, and was duly sentenced, and

Whereas the defendant appealed such conviction to the United States Court of Appeals for the Ninth Circuit as by law provided, and

Whereas the aforesaid Court of Appeals has reversed such judgment and has ordered that the infor-

mation heretofore filed be dismissed and has issued its mandate under date of April 11, A.D., 1955,

Now, Therefore, It Is Herewith Ordered:

1. The mandate of the Court of Appeals shall be spread upon the minutes of this Court.

2. The information heretofore filed in the above-entitled action is dismissed.

Dated and entered this 14th day of April, A.D., 1955.

Paul D. Shriver,
Judge.

Attest: A True Copy,
Roland A. Gillete, Clerk,
District Court of Guam,
Territory of Guam.

Roland A. Gillette.

RECAPITULATION

DISTRICT COURT OF GUAM

ACTIVE CASES PENDING

NO WAIVERS FILED

June 30, 1954

	Cases	Defendants	Appeal	Probation	Parole	In States Pending Appeals	Subject to Deportation
Felonies:							
Federal	10	12	2	4		1	6
Guam	31	36	4	7	4	2	7
Totals	41	48	6	11	4	3	13

Case Number Federal	Case Number Guam	Defendant	Charge	Date Sentence	Sentence	Probation	Parole	Appeals
12-51		*Pugh	Grand Theft—Govt. Prop.	12-11-51	2 yrs.	(Released on Appeal Bond)		1
13-51		Mafnas	Grand Theft, personal prop. on Govt. Res.	1-11-52	3 yrs.	X		
	7-52	Cruz	Grand Theft	2-27-52	2½ yrs.	X		
	19-52	Cruz	Rape	4-10-52	20 yrs.			
..-52		Gomez	Grand Theft	8-4-52	3 yrs.	X		
	28-52	Camacho	Grand Theft	9-26-52	2 yrs.		X	
39-52		Tai	Altering U. S. Currency	10-16-52	3 yrs.	X		
	40-52	*Ilisario	Rape	9-22-52	5 yrs.			

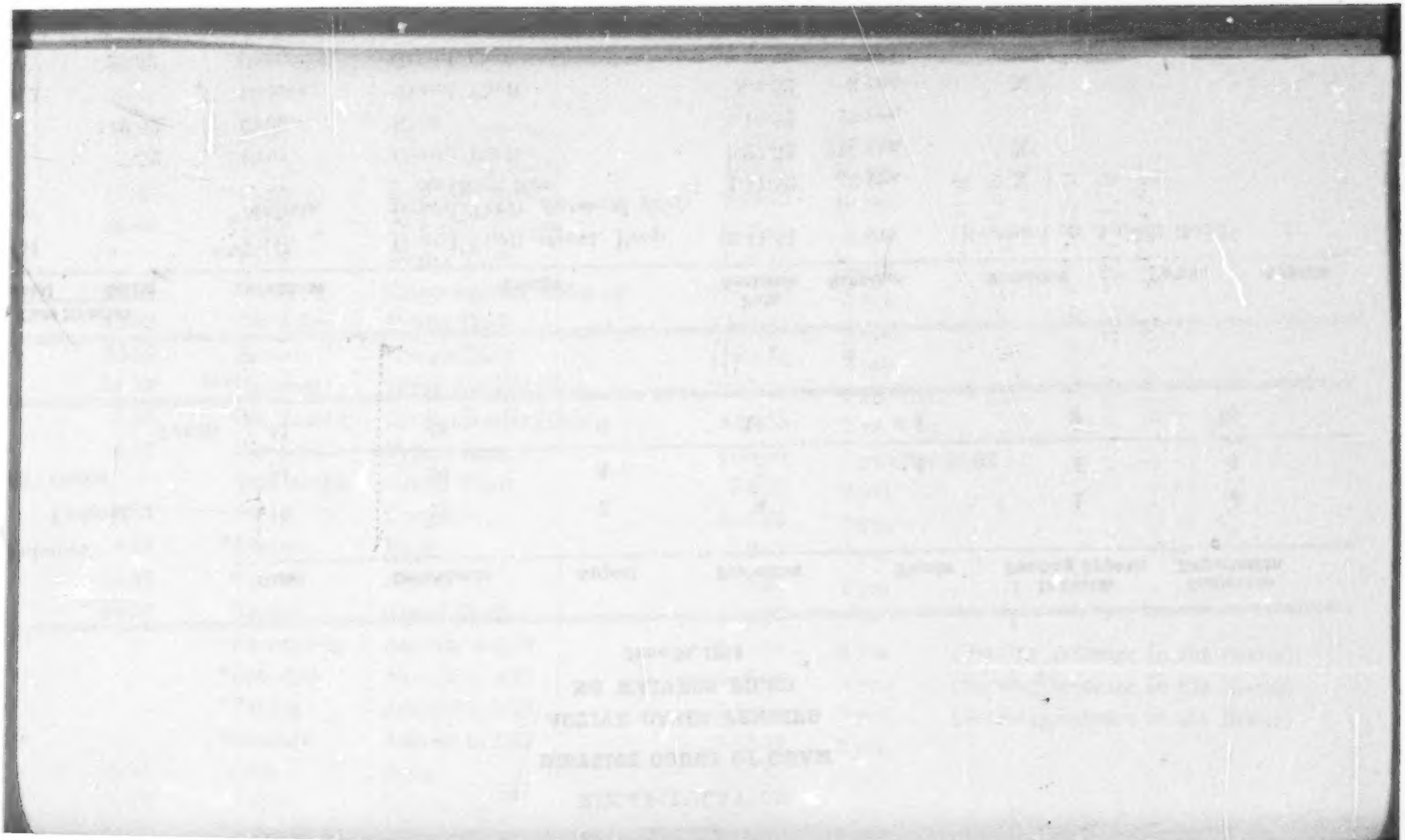
	40-52	*Ilisario	Rape	9-22-52	5 yrs.			
	41-52	*Pinaso	2nd deg. Murder	9-29-52	25 yrs.			
	41-52	*Bensurto	2nd deg. Murder	9-29-52	20 yrs.			
	41-52	*Alcuela	2nd deg. Murder	9-29-52	10 yrs.			
	41-52	*Valle	2nd deg. Murder	9-29-52	5 yrs.			
4-52		**Putty	Grand Theft	1-27-53	3 yrs.			1
	47-52	Smith	Crime against children	11-14-52	5 yrs.			
	49-52	Camacho	Grand Theft	12-12-52	2 yrs.			
	50-52	Rosario	Grand Theft	12-12-52	3 yrs.			
	52-52	***Hatchett	Invol. manslaughter	1-15-53	1 yr. 1 da.			1
	1-53	Charfauros	Invol. manslaughter	8-24-53	1 yr. 3 mo.			
	4-53	Camacho	Prison Escape	2-20-53	1 yr.after 49-52			
6-53		Quintanilla	Grand Theft	7-9-53	2 yrs.			
	8-53	Meno	Forgery	4-10-53	2 yrs.			
	9-53	*Espiritu	Rape	4-2-53	5 yrs.			
	12-53	Smith	Arson	10-8-53	2 yrs.	1		
	13-53	Garcia	Grand Theft	4-24-53	1 yr.	1		
4-53		*Fernandez	Assault to Kill	6-15-53	8 yrs.	(Serving sentence in the States)		
4-53		*Gonzales	Assault to Kill	6-15-53	5 yrs.	(Serving sentence in the States)		
4-53		*Valdez	Assault to Kill	6-15-53	3 yrs.	(Serving sentence in the States)		
4-53		*Sanchez	Assault to Kill	6-15-53	2 yrs.			
	16-53	Cruz	Rape	5-22-53	5 yrs.			
	19-53	Elliott	Grand Theft	10-2-53	3 yrs.	1		
	20-53	**Pennington	Crime against nature	9-18-53	3 yrs.			1
1-53		*Quilop	Murder	9-17-53	10 yrs.	(Serving sentence in the States)		
	22-53	Wells	Arson	8-7-53	5 yrs.		1	
	25-53	Fejeran	Assault with deadly weapon	10-13-53	1 yr.	1		
	26-53	Camacho	Grand Theft	9-11-53	1 yr.			
	27-53	Fejeran	Grand Theft	9-18-53	5 yrs.			
	27-53	Borja	Grand Theft	9-18-53	2 yrs.		1	
	27-53	Reyes	Grand Theft	9-18-53	1 yr.			
	28-53	Camba	Mayhem	9-18-53	5 yrs.			
9-53		*Fernandez	Jail Escape	9-4-53	3 yrs.	(Serving sentences under Case no. 14-53)		
9-53		*Valdez	Jail Escape	9-4-53	2 yrs.	(Serving sentences under Case no. 14-53)		
	30-53	Franklin	Crime against nature	9-15-53	3 yrs.	(In States under terms of Parole) 1		
	32-53	Borja	Robbery	1-29-54	1 yr. 7 mo.			
3-53		*Baza	Embezzlement	11-13-53	2 yrs.	1		
	34-53	Cepeda	Assault with deadly weapon	11-16-53	5 yrs.		1	
	35-53	*Renon	Assault with deadly weapon	11-30-53	2 yrs.			
	36-53	Ocampo	Forgery	11-27-53	2 yrs.	1 (already Deported)		
	38-53	Swadner	Crime against children	12-23-53	5 yrs.	(On bond pending final determination of Hatchett Case)		
	41-53	Galima	Vol. manslaughter	2-8-54	18 mo.			
	2-54	Borja	Illegal possession explosives	1-22-54	2 yrs.	1		

(*) Aliens under work Contracts subject to deportation.

(**) Defendants released on appeal bonds with permission to leave jurisdiction of Court to return to States with consent of sureties, pending final determination of appeals. (Mandate has issued subsequent to preparation of this synopsis.)

(***) Released on Mandate. Trial Court judgment reversed.

(Note): Court informed by U. S. Immigration Service that warrants of Deportation have been issued for the majority of defendants who are subject to deportation and will be executed upon release of said defendants from custody.



Appendix 3

Legislative History of Public Law 697, 83rd Congress 2d Session, No. 17, September 20, 1954, U.S. Code Congressional and Administrative News, Senate Report No. 2006

Extract from letter of William P. Rogers, Deputy Attorney General, dated May 26, 1954. (Page 6034-6035.)

* * * Section 2 of the bill would provide, in effect that persons who have already committed offenses but have not been charged, may be proceeded against by information, as has been the practice in Guam, Section 3 would provide, on the other hand, that those who have already been proceeded against by way of information and trial without a jury rather than indictment and jury trial, cannot use such facts as a basis for attack on their convictions by appeal or collaterally. Thus sections 2 and 3 have retrospective effect.

Whether the bill should be enacted involves a question of policy concerning which this Department prefers to make no recommendation. However, with respect to sections 2 and 3, in view of the doubt that may be raised as to their validity because of their retrospective effect, the committee, if it gives favorable consideration to the provisions in question, may desire to include a severability clause in the bill * * *